

Jul 27, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALETA BUSSELMAN,

Plaintiff,

v.

BATTELLE MEMORIAL
INSTITUTE,

Defendant.

No. 4:18-CV-05072-SMJ

**ORDER GRANTING
DEFENDANT'S UNOPPOSED
MOTION TO DISMISS
COMPLAINT WITHOUT
PREJUDICE**

Before the Court, without oral argument, is Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction or, Alternatively, for Failure to State a Claim, ECF No. 10. Defendant seeks to dismiss this case without prejudice, arguing Plaintiff failed to exhaust her administrative remedies. Plaintiff does not oppose the motion, reasoning she corrected any potential defect by filing a new civil action, case number 4:18-cv-05109-SMJ. Having reviewed the pleadings and the file in this matter, the Court is fully informed and finds good cause to grant the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction or, Alternatively, for Failure to State a Claim, **ECF No. 10**, is **GRANTED**.

ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION TO DISMISS
COMPLAINT WITHOUT PREJUDICE - 1

